

FCC Waiver  
Lamar CISD  
Funding Year 2014

October 3, 2014

## **Waiver for Request**

### **To Whom It May Concern:**

We are writing to request a waiver of the deadline for correcting an error of the discount for FRN 2606709 and FRN 2606724 on the FCC Form 471 number 959630 for funding year 2014.

### **Appellant**

Contact Name: Kevin Witte

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E-Mail Address: kwitte@esc12.net

Applicant Name: Lamar CISD

Billed Entity Number: 141295

<b>Form 471:</b>	959630	959630
<b>FRN</b>	2606724	2606709
<b>SPIN</b>	143035542	143030766
<b>Amount Committed post-discount</b>	\$55,878.00	\$136,912.76

### **Explanation of Request for a Waiver**

Lamar CISD is writing to request a waiver of the deadline to correct an error that occurred during the lengthy PIA process for FRN 2606724 and FRN 2606709 on the FCC Form 471 number 959630.

The two FRNs are for the funding of Telecommunications and Internet Access. It is our opinion that the deadline for correcting this 471 should be waived and that the FCC should proceed with a complete review of the information included in this waiver.

## Background

### Chronological Order of Events

Date	Issue concerning this Waiver	Action by Applicant	Results
4/3/2014	<b>Receipt Acknowledgement Letter (RAL)</b> for 471# 959630 with FRNs 2606709 & 2606724 dated 4/3/2014	None – No known problems since the monthly charges and the ineligible charges were correct for both FRNs: FRN 2606709 a) <u>monthly \$21,180.28</u> , b) <b>ineligible \$0.00</b> ; FRN 2606724 c) <u>monthly \$6,950</u> and d) <b>ineligible \$0.00</b>	There are <u>two processes to correct errors on a 471</u> . One is to use the RAL. This RAL had no errors to correct. The other way to correct errors on a 471 is through the PIA process but before the FCDL is issued. <b><i>Note below the attempts to correct the discount percent for Powell Point Campus (School).</i></b>
Date PIA Letter & Reviewer	Issue concerning this waiver	Reply by Applicant	Results
4/24/2014 Sarah Ann James	Concerning the 471 # 959630: the Eligibility of Powell Point Campus was an issue	<u>Powell Point Campus</u> Total student count: 51 Student count under age of 3: 10 Eligible for free & reduced lunch: 51	10 students are not eligible for discounts at Powell Point school; Ineligible: 19.6%; <b>The Eligible student discount: 80.4% or 80% for this campus</b>
5/28/2014 Sarah Ann James	Concerning the 471 # 959630 and 2 FRNs (2606709 & 2606724) for <b><u>SHARED district-wide services</u></b> : the Eligibility of Powell Point Campus was an issue	<u>Powell Point Campus</u> Total student count: 51 Student count under age of 3: 10 Eligible for free & reduced lunch: 51	10 students are not eligible for discounts at this school; <b><u>The Ineligible percent: 19.6% PIA mistakenly removed the ineligible 19.6% from the district-wide discount instead of just Powell Point Campus Discount. This action was not communicated to the applicant by the PIA reviewer.</u></b>

Date PIA Letter & Reviewer	Issue concerning this waiver	Reply by Applicant	Results
6/11/2014	<b>Funding Commitment Decision Letter, FCDL,</b> for 471# 959630 with FRNs 2606709 & 2606724 dated 6/11/2014	No action by applicant - still in PIA process	The Ineligible amounts on FRNs 2606709 & 2606724 are incorrect. <b><u>This action was not communicated to the applicant by the PIA reviewer.</u></b>
6/18/2014 Sarah Ann James	Issues concerning: a) the FRN 2648909 which was a request for <b><u>services to ONLY Powell Point Campus</u></b> and b) the Eligibility of Powell Point Campus	<u>Powell Point Campus</u> Total student count: 51 Student count under age of 3: 10 Eligible for free & reduced lunch: 51	10 students are not eligible for discounts at this school; The Ineligible: 19.6%; <b>The Eligible student discount: 80.4% or 80% for this campus</b> <u>This FRN was correctly calculated and funded for a single campus.</u>
7/11/2014 Maria Donawa	Issues concerning 471 # 989137: a) Nine FRNs and b) Eligibility of Powell Point Campus	<u>Powell Point Campus</u> Total student count: 51 Student count under age of 3: 10 Eligible for free & reduced lunch: 51 <b><u>During PIA review the applicant was asked if the 19.6% ineligibility needed to be district-wide. The reviewer was told no. The 19.6% ineligibility was for Powell Point Campus only.</u></b>	10 students are not eligible for discounts at Powell Point school; Eligible student cost: 80.4%; Ineligible: 19.6%  On 471 # 959630 FRNs 2606709& 2606724, "The amount of the funding request was changed from \$6950/month to \$5,587.80/month to remove: the ineligible services: \$1362.20/month for head start student costs". * See table below
8/18/2014 Maria Donawa	Issues concerning 471 # 989137: a) Two FRNs and b) Eligibility of Powell Point Campus	<u>Powell Point Campus</u> Total student count: 51 Student count under age of 3: 10 Eligible for free & reduced lunch: 51	10 students are not eligible for discounts at Powell Point school; Eligible student cost: 80.4%; Ineligible: 19.6%



**\*Table of PIA changes from "Orig R Ineligible Cost" (Original Recurring Ineligible Cost) to "Cmtd R Ineligible Cost" (Committed Recurring Ineligible Cost)**

Entity	Funding Year	FCDL Date	FRN #	Orig Category of Service	Orig R Monthly Cost	Orig R Ineligible Cost	Orig R Eligible Cost
141295	2014	6/11/2014	2606709	TELCOMM SERVICES	\$21,180.28	\$0.00	\$21,180.28
141295	2014	6/11/2014	2606724	INTERNET ACCESS	\$6,950.00	\$0.00	\$6,950.00
					<b>Cmtd R Monthly Cost</b>	<b>Cmtd R Ineligible Cost</b>	<b>Cmtd R Eligible Cost</b>
					\$21,180.28	\$4,151.33	\$17,028.95
					\$6,950.00	\$1,362.20	\$5,587.80

It is our opinion that the deadline for correcting this 471 should be waived based on the evidence listed above that Lamar CISD made every effort before the issuance of the FCDL to give the PIA reviewers the correct data for the discount for Powell Point Campus. PIA made errors with the data provided to them causing a deduction of funding on FRNs that were not involved.

**Conclusion:**

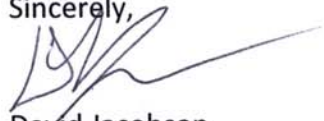
It is our opinion that the FCC waive the deadline for the correction of this Form 471.

It is our opinion that the modification of the amount funded on FRN 2606709 and FRN 2606724 be reversed and the SLD of the Universal Service Administrative Company should proceed with a complete review of the information submitted that is included in this waiver.

- This request was for eligible services.
- Lamar CISD correctly calculated the discount and funding for the two FRNs mentioned in this appeal.
- There was no need to modify the funding amounts for the two FRNs mentioned in this appeal. Lamar CISD stated to the reviewer "the 19.6% ineligibility at Powell Point Campus did not need to be district-wide.
- A mistake was made by the PIA reviewer and this mistake needs to be corrected.
- There is no evidence of waste, fraud, or abuse, misuse of funds, or a failure to adhere to core program requirements.

When the FCC allows this waiver to be meritorious, Lamar CISD will be able to fulfill its commitment to its students for full, robust connectivity to global resources which would not be possible without E-Rate support.

Sincerely,



David Jacobson  
Chief Technology Information Officer  
Lamar CISD

CC: Kevin Witte  
Region ESC 12  
Personal E-Rate Partner  
LOA

Enclosures: 1) LOA 2) Request for Waiver 3) Program Integrity Assurance Documents 4) Funding Commitment Decision Letter 5) Excel Sheet for Two FRNS and 6) Funding "Status Memo" for Two FRNs